

REMARKS

Claims 1-10 are currently pending and stand rejected. By way of this response, claim 1 has been amended. No new matter has been added by way of this amendment.

I. Objections to the Drawings and the Specification

The Office objected to the Applicant's Figure 4 "as the specification states that Figure 4 shows dose proportionality assessment following deep-lung inhalation dosing for plasma dronabinol of the First Dose (Day 1) illustrating C_{max}/Dose v. Dose. However, Figure 4 as given illustrates AUC(0-t)/Dose vs. Dose on the axes." Applicant respectfully submits that a new Figure 4 with the correct axes was submitted to the Office with Preliminary Amendment A filed on April 29, 2004. For the Office's convenience, a copy of that Figure 4 is enclosed herewith. In light of the above, Applicant respectfully requests that this objection be withdrawn.

Further, with this response, Applicant has corrected the remaining "ηM" typographical errors in the specification. Therefore, Applicant respectfully requests that this objection be withdrawn.

II. Rejections under 35 U.S.C. § 112

Claims 1-10 have been rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement. Applicant respectfully disagrees with this rejection, but submits that the current amendment to claim 1 overcomes this rejection. Thus, Applicant respectfully requests that this rejection be withdrawn.

III. Rejections under 35 U.S.C. § 103 (a)

Claims 1-8 have been rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 5,716,638 to Touitou *et al.* ("Touitou") in view of U.S. Patent 6,509,005 to Peart *et al.* ("Peart") and Vachon *et al.* ("Vachon") (XP-000965573). Claims 9-10 have been rejected under 35 U.S.C. § 103(a) unpatentable over Touitou in view of Peart and Vachon as applied to claims 1-8 and further in view of U.S. Patent 5,258,336 to LeMastro *et al.* (collectively "the Cited References").

By way of this response, Applicant incorporates all of the arguments made in its Response to the June 15, 2006 Office Action.

Further, Applicant respectfully submits that the current amendment to independent claim 1 renders the claims patentable over the Cited References as the cited references do not teach or suggest the Tmax for 11-OH-delta-9 tetrahydrocannabinol after a single dose of the composition. Thus, the Applicant requests that the Office withdraw this rejection.

II. Conclusion

For at least the foregoing reasons, it is respectfully submitted that claims 1-10 are in condition for allowance. Early and favorable consideration is respectfully requested, and the Examiner is encouraged to contact the undersigned with any questions or to otherwise expedite prosecution.

Further, none of the Applicant's amendments or cancellations are to be construed as dedicating any subject matter to the public, and Applicant reserves all rights to pursue any subject matter in this or a related patent application.

Respectfully Submitted,



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